

AO 106A (08/18) Application for a Warrant by Telephone or Other Reliable Electronic Means

## UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania 

In the Matter of the Search of  
 (Briefly describe the property to be searched  
 or identify the person by name and address)  
 Information Associated with Facebook Account Rich Little  
 (facebook.com/rich.little.64.66) that is Stored at Premises  
 Controlled by Meta Platforms, Inc.

Case No. 1:24-mc-00562

## APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;  
 contraband, fruits of crime, or other items illegally possessed;  
 property designed for use, intended for use, or used in committing a crime;  
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. 875(c), 922(g)(3)	Interstate Threats, Possession of Firearm by Prohibited Person

The application is based on these facts:  
 I, Brenda McDermott, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, being duly sworn, depose and state:

- Continued on the attached sheet.  
 Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
 Applicant's signature  
 Brenda McDermott, SA ATF

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
TELEPHONE (specify reliable electronic means).

Date: JULY 9, 2024

  
 Judge's signature  
 Daryl F. Bloom, U.S. Magistrate Judge

City and state: Harrisburg, Pennsylvania

Printed name and title

**CONTINUATION PAGES IN SUPPORT OF  
SEARCH WARRANT APPLICATION**

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application for a search warrant for information associated with a certain Facebook account that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in **Attachment A**. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A), to require Meta to disclose to the United States records and other information in its possession, pertaining to the subscriber or customer associated with the account.

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since so employed since December 2018. I am a graduate of the Federal Law Enforcement Training Center and ATF National Academy. I obtained a Bachelor's degree in Criminal Justice from Temple University in Philadelphia, Pennsylvania. Before joining ATF, I was employed for one year with the

SEPTA Transit Police Department in Philadelphia, Pennsylvania, where I was assigned to the patrol division.

3. I am currently assigned to the ATF Philadelphia Field Division, Harrisburg Field Office, comprised of ATF Special Agents whose primary responsibilities include investigating individuals or groups who have committed violations of the federal firearms, explosives, and narcotic laws. Furthermore, I have written, participated in, and have acquired knowledge in the execution of search warrants.

4. The facts in this affidavit come from my personal observations and involvement in the investigation, as well as my training and experience, and information obtained from other law enforcement and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that Richard LITTLE committed violations of 18 U.S.C. § 875(c) (Interstate Communications / Threats) and 18 U.S.C. § 922(g)(3) (Possession of Firearm by Unlawful User of Controlled Substance). Furthermore, on or about June 25, 2024,

following a preliminary hearing on a criminal complaint, United States Magistrate Judge Daryl F. Bloom found that probable cause existed on those charges against LITTLE.

6. There is also probable cause to search the information described in Attachment A for evidence of these crimes and fruits of those crimes, as described in **Attachment B**.

#### **PROBABLE CAUSE FOR SEARCH WARRANT**

7. On or about June 17, 2024, the Pennsylvania State Police (PSP) and Franklin County Sheriff's Office informed the ATF of social media posts by Richard LITTLE on his Facebook account, "Rich Little."

8. The PSP was familiar with LITTLE from an incident on or about April 4, 2024, at the Franklin County Veteran Affairs Human Resource Building, in Chambersburg, Pennsylvania. LITTLE became aggressive toward the VA Director and made the following comments: (i) "I'm going to end you mother fucker"; (ii) "get that mother fucking cock sucker [Franklin County Commissioner Dean] Horst down here now so I can end him too"; and (iii) "you better watch out you piece of shit."

9. Law enforcement believed the social media posts were triggered by an eviction notice that LITTLE received on or about June 10, 2024.

10. The PSP notified the ATF due to the threatening nature of the posts and the direct threats being made to Pennsylvania Senator Doug Mastriano, Franklin County Commissioner Dean Horst, and United States Army Sgt. Major Sean Livolsi.

11. ATF reviewed LITTLE's Facebook page, an open-source social media page, and observed what follows in the below paragraphs.

12. On or about June 10, 2024, at approximately 10:43 a.m., LITTLE posted a photograph of a firearm, more specifically the firing pin of the firearm, with a caption of "Nobody around here wants to enforce federal law? Kill switch engaged. Come evict me. I'm ready."

13. On or about June 10, 2024, at approximately 10:48 a.m., LITTLE posted two photographs of a handgun, bearing S/N: G000037, with the caption of "The day I bought her so many years ago I knew, I knew there would come a day she and I would have our time together, Added a 3 ozs to her and she shoots like a 9mm now, no jump nothing,

just 3 beautiful taps of 45 Acp, no sight adjustment, just straight laser fire, I love this weapon.”

14. ATF conducted a query of the firearm’s serial number and determined that LITTLE purchased a pistol bearing S/N: G000037 on September 1, 2010, from Hoover’s Outfitting located at 2099 Garrett Road, Rockwood, Pennsylvania.

15. ATF conducted a firearms query through law enforcement databases which indicated LITTLE has purchased and currently is the registered owner of multiple firearms. In addition, LITTLE has an active concealed carry permit in Franklin County that allows LITTLE to conceal carry firearms on his person and inside a vehicle.

16. On or about June 10, 2024, at approximately 11:00 a.m., LITTLE posted a photograph of a AR-style pistol, with the caption of “It’s time.....Mike Gregory, can ya get my 45-70 back to me in working order soon? If imma engage county tyrants, I wanna use a federal round, Irony, I love it (smiling emoji).”

17. On or about June 10, 2024, at approximately 11:05 a.m., LITTLE posted a video on his Facebook page, with the caption “I’m done (tagging PA Senator Doug Mastriano) You and your bullshit created this, don’t you fucking forget it. Come get me Sean, you fucking pussy. Come get me.” Moreover, in the video:

- a. LITTLE states in the beginning, “I just want you to know Sean Livolsi . . . This is the fucking war you wanted you piece of shit. . . . this ain’t half of it . . . I just started . . . as you can see I’ve been waiting for this day for two year. I’ve been doing nothing but planning this fucking day.” LITTLE makes these statements while displaying multiple firearms on his bed, and numerous boxes of ammunition on the floor of his bedroom.
- b. LITTLE moves throughout his apartment while videotaping. LITTLE moves to the living room area, where more firearms are displayed on top of the couch. A small section of the couch is seen propped up on its side that would allow an individual to hide behind. LITTLE moves into the kitchen area, where more

firearms are displayed, and he described “kill zones” while looking out the rear window. LITTLE picks up an AR-style pistol from the kitchen counter and refers to it as “my little buddy.” LITTLE states “I’ve been waiting for this day for a while Sean Livoli.”

18. On or about June 10, 2024, at approximately 11:35 a.m., LITTLE posted a video on his Facebook page:

- a. LITTLE moves throughout his apartment while multiple firearms are on display. LITTLE expresses his frustration with the federal government and continues to express his anger towards Sean Livolsi. LITTLE states, “I’ve had two years to think about this and plan for it Sean . . . first what we got here is a nice little 500 / .50 caliber.” LITTLE picks up the revolver from the couch and points the camera at the front door. LITTLE states, “your boys if they make it . . . guaranteed they’re shit ain’t gonna stop the 500 at about 2-3 feet . . . and then after I unload that what your gonna have is the door buster . . . that bullet is going to rip through them

and spray blood through the boys (LITTLE simulates firing rounds verbally)."

- b. LITTLE then moves back to the kitchen area and picks up what appears to be an AR-style 9mm pistol. LITTLE states "it will be waiting . . . I made that bad boy . . . not fully automatic as you can see (LITTLE manipulates the selector switch) . . . that mother fucker shoots straight lasers at night." LITTLE then picks up another rifle which he calls "the Trumper." LITTLE describes another "kill zone" while holding the firearm and points the camera out the kitchen side window. LITTLE states "take out the engine block with that wonderful Donald Trumper (referencing the firearm)."
- c. LITTLE moves to the rear of the apartment and states, "you can also see Sean, look at beautiful kill zone, bring your fucken vehicles cause if that's how you want to play it . . . I'll kill your vehicles . . . and look what I have waiting . . . of course I got the 9mm."

- d. LITTLE picks up another firearm from the kitchen table which appears to be an AR-style pistol. LITTLE states “come on Sean . . . Sean . . . if I’m going down in blaze of glory . . . baby come on.” LITTLE pulls the magazine from the pistol and shows the magazine is loaded and references the ammunition to a “.357 hunting round.” LITTLE states, “that mother fucker will rip through anything you got . . . up to “Class 3, I believe . . . especially here . . . I take out your vehicles and I’m just going to be sitting here popping you mother fuckers (LITTLE simulates firing rounds verbally).”
- e. LITTLE picks up a handgun from the kitchen table and references it as a “desert eagle.” LITTLE expresses that he is in possession of “special bullets” and refers to hollow point ammunition that is used by law enforcement and then goes on to state “your Class 2 don’t mean shit to me . . . so I suggest you boys get ready.”

f. At the end of the video, LITTLE states, "as you can see . . . I've been waiting for this mother fucking day buddy . . . Part 2 bitch . . . I guarantee I'll kill your squad of yours as well but this time we ain't training mother fucker . . . See you soon bitch."

19. On or about June 21, 2024, at approximately 7:30 a.m., LITTLE posted on his Facebook page, "(tagging Senator Doug Mastriano) You ruin one more person I will wear your fucking flesh. You are done you piece of shit, leave now or don't. But you will leave today. Or you will not be found Monday Senator. Make your fucking choice."

20. On the same day, approximately one hour later, LITTLE posted on his Facebook page a video. During the video he states "I got to see my wife yesterday . . . Baby girl is so fucked up she pulled all her eye lashes out . . . and you mother fuckers think there ain't gonna be blood (LITTLE starts laughing) . . . I'm gonna god damn pull everything off you mother fuckers (LITTLE starts laughing again) . . . and I'm gonna give it to baby girl as a present . . . You fucked up boy . . . you fucked up."

21. As described above, LITTLE posted multiple photographs, videos, and comments on Facebook and, in the course of doing so, displayed multiple firearms. More specifically, LITTLE in the posts on Facebook physically picked up the firearms and described in detail the type of caliber and potential damage that can occur when fired at individuals wearing different class types of body armor. LITTLE describes “his plan” on what will happen to the individuals who try to evict him and even simulates firing a firearm verbally in multiple videos.

22. Additionally, in at least one of the videos, LITTLE admits smoking marijuana and shows marijuana inside his residence. In the same video, firearms and drug paraphernalia can be seen. And, as of approximately May 10, 2024, LITTLE did not possess a valid medical marijuana card in Pennsylvania.

23. Based on my review of the target Facebook account and knowledge acquired from my involvement in the investigation into this matter, probable cause also exists to link LITTLE to the target Facebook account. The profile name “Rich Little” is similar to Richard LITTLE’s name, and LITTLE can be physically seen and heard talking in the above-referenced video posts on the target Facebook account.

24. Before applying for the instant search warrant, I submitted a preservation request to Facebook.

#### **FACEBOOK BACKGROUND**

25. Meta owns and operates Facebook, a free-access social networking website that can be accessed at <http://www.facebook.com>. Facebook users can use their accounts to share communications, news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

26. Meta asks Facebook users to provide basic contact and personal identifying information either during the registration process or thereafter. This information may include the user's full name, birth date, gender, e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Each Facebook user is assigned a user identification number and can choose a username.

27. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual

Facebook users by sending each user a “Friend Request.” If the recipient of a “Friend Request” accepts the request, then the two users will become “Friends” for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user’s account includes a list of that user’s “Friends” and a “News Feed,” which highlights information about the user’s “Friends,” such as profile changes, upcoming events, and birthdays.

28. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create “lists” of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

29. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming “events,” such as social occasions, by listing the event’s time, location, host, and guest list. In addition, Facebook users can “check in” to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user’s profile page also includes a “Wall,” which is a space where the user and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

30. Facebook users can upload photos and videos to be posted on their Wall, included in chats, or for other purposes. Users can “tag” other users in a photo or video, and can be tagged by others. When a user is tagged in a photo or video, he or she generally receives a notification of the tag and a link to see the photo or video.

31. Facebook users can use Facebook Messenger to communicate with other users via text, voice, video. Meta retains instant messages and certain other shared Messenger content unless deleted by the user, and also retains transactional records related to voice and video chats. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile.

32. If a Facebook user does not want to interact with another user on Facebook, the first user can “block” the second user from seeing his or her account.

33. Facebook has a “like” feature that allows users to give positive feedback or connect to particular pages. Facebook users can “like” Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become “fans” of particular Facebook pages.

34. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

35. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

36. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

37. In addition to the applications described above, Meta provides users with access to thousands of other applications on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user's access or use of that application may appear on the user's profile page.

38. Meta also retains records of which IP addresses were used by an account to log into or out of Facebook, as well as IP address used to take certain actions on the platform. For example, when a user uploads a photo, the user's IP address is retained by Meta along with a timestamp.

39. Meta retains location information associated with Facebook users under some circumstances, such as if a user enables "Location History," "checks-in" to an event, or tags a post with a location.

40. Social networking providers like Meta typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Meta about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Meta typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as

records of any actions taken by the provider or user as a result of the communications.

41. As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the “who, what, why, when, where, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion.

42. In my training and experience, a Facebook user’s IP log, stored electronic communications, and other data retained by Meta, can indicate who has used or controlled the Facebook account. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook account activity can show how and when the account was accessed or used. For example, as described herein, Meta logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the

physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, location information retained by Meta may tend to either inculpate or exculpate the Facebook account owner. Last, Facebook account activity may provide relevant insight into the Facebook account owner's state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

43. Therefore, the servers of Meta are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

**INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

44. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A), by using the warrant to require Meta to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

**CONCLUSION**

45. Based on the foregoing, I request that the Court issue the proposed search warrant.

46. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. The United States will execute this warrant by serving it on Meta. Because the warrant will be served on Meta, who will then compile the requested records at a time convenient to it, reasonable cause exists

to permit the execution of the requested warrant at any time in the day or night.

47. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that – has jurisdiction over the offense[(s)] being investigated.” 18 U.S.C. § 2711(3)(A)(i).

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to information associated with Facebook account, Rich Little (facebook.com/rich.little.64.66), that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a company headquartered in Menlo Park, California.

**ATTACHMENT B**

**Particular Things to be Seized**

**I. Information to be disclosed by Meta Platforms, Inc. (“Meta”)**

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta, regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Meta, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta is required to disclose the following information to the government for each user ID listed in Attachment A:

- (a) All contact and personal identifying information for Rich Little ([facebook.com/rich.little.64.66](http://facebook.com/rich.little.64.66)), including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

- (b) All activity logs for the account and all other documents showing the user's posts and other Facebook activities from **May 10, 2024 to the present**;
- (c) All photos and videos uploaded by that user ID from **May 10, 2024 to the present**, including Exchangeable Image File ("EXIF") data and any other metadata associated with those photos and videos;
- (d) All profile information; status updates; videos, photographs, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; comments; gifts; tags; and information about the user's access and use of Facebook applications;
- (e) All records or other information regarding the devices and internet browsers associated with, or used in connection with, that user ID, including the hardware model, operating system version, unique device identifiers, mobile network information, advertising ID, and user agent string;

- (f) All other records and contents of communications and messages made or received by the user from **May 10, 2024 to the present**, including all Messenger activity, private messages, chat history, video and voice calling history, and pending “Friend” requests;
- (g) All “check ins” and other location information;
- (h) All records of the account’s usage of the “Like” feature, including all Facebook posts and all non-Facebook webpages and content that the user has “liked”;
- (i) All records of Facebook searches performed by the account from **May 10, 2024 to the present**;
- (j) All information about the user’s access and use of Facebook Marketplace;
- (k) The type of service utilized by the user ID;
- (l) The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);

- (m) Records of any Facebook accounts that are linked to the account by machine cookies (meaning all Facebook user IDs that logged into Facebook by the same machine as the account); and,
- (n) All records pertaining to communications between Meta and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

Meta is hereby ordered to disclose the above information to the government within **14 days** of issuance of this warrant.

## II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. §§ 875(c) and 922(g)(3), involving **Richard LITTLE**, from **May 10, 2024 to the present**, including, for the user ID identified on Attachment A, information pertaining to the following matters:

- (a) The control, possession, purchase, and transfer of any firearm;
- (b) The possession, purchase, and use of a controlled substance, including marijuana and illegal mushrooms;
- (c) All posts, of any type, relating to Pennsylvania Senator Doug Mastriano, Franklin County Commissioner Dean Horst, and United States Army Sgt. Major Sean Livolsi;
- (d) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Facebook account owner;

- (e) Evidence indicating the Facebook account owner's state of mind as it relates to the crimes under investigation; and,
- (f) The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s).